

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7144

BILL NUMBER: SB 402

NOTE PREPARED: Jan 10, 2003

BILL AMENDED:

SUBJECT: Child Bicycle Safety.

FIRST AUTHOR: Sen. Simpson

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: ☒ GENERAL
☒ DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill requires a person who is less than 16 years of age to wear a properly fitted protective bicycle helmet when the person operates or is a passenger on a bicycle. It provides that a passenger on a bicycle must be either on a seat or in a restraining seat. The bill provides that the failure of a child to wear a properly fitted protective bicycle helmet or the failure to contain a small passenger in a restraining seat is a Class C infraction, the judgment for which is stayed under certain circumstances. It also provides for a Class C infraction for the rental, lease, or sale of a bicycle to or for the intended use of an operator who is less than 16 years of age without the person who is renting, leasing, or purchasing the bicycle showing possession of or acquiring a protective helmet for the intended operator. The bill makes conforming amendments.

Effective Date: July 1, 2003.

Explanation of State Expenditures:

Explanation of State Revenues: If additional court cases occur, revenue to the state General Fund may increase if infraction judgments and court fees are collected. The maximum judgment for a Class C infraction is \$500, which is deposited in the state General Fund. If court actions are filed and a judgment is entered, a court fee of \$70 would be assessed. 70% of the court fee would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court.

Explanation of Local Expenditures:

Explanation of Local Revenues: If additional court actions are filed and a judgment is entered, local

governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$70 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed and, if collected, would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed and, if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

State Agencies Affected:

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources:

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